

Amendment No. _____

Signature of Sponsor _____

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AMEND Senate Bill No. 578

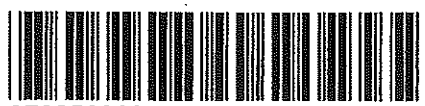
House Bill No. 75*

by deleting all language after the enacting clause and substituting instead the following:

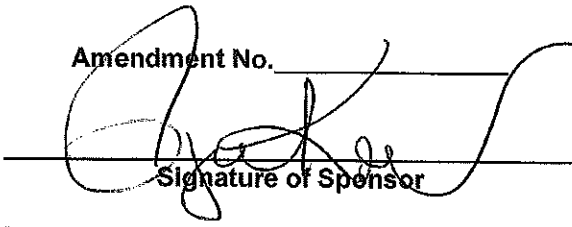
SECTION 1. Tennessee Code Annotated, Section 49-1-302(a)(5)(A)(iv), is amended by deleting the subdivision and substituting instead the following:

Discipline of licensed personnel for misconduct by formal reprimand or by the suspension and revocation of licenses and certificates; provided, that the policies provide licensed personnel with timely due process and are otherwise in compliance with the due process requirements of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.


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AMEND Senate Bill No. 1628*

House Bill No. 1606

by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 8-50-115(a), is amended by adding the following language as a new subdivision:

(3) Notwithstanding subdivisions (1) and (2), a student must be enrolled in a degree program to receive the tuition reduction awarded pursuant to this subsection. A student may receive the tuition reduction until the student has attempted a total of one hundred twenty (120) semester hours. A student who is enrolled in an undergraduate degree program required to be more than one hundred twenty (120) semester hours in length may receive a tuition reduction until the student has attempted the number of semester hours required to earn the undergraduate degree at the state institution of higher education at which the student is enrolled.

SECTION 2. Tennessee Code Annotated, Section 49-7-119(a), is amended by designating the current language as subdivision (a)(1) and adding the following language as a new subdivision:


(2) Notwithstanding subdivision (a)(1), a student must be enrolled in a degree program to receive the tuition reduction awarded pursuant to this subsection. A student may receive the tuition reduction until the student has attempted a total of one hundred twenty (120) semester hours. A student who is enrolled in an undergraduate degree program required to be more than one hundred twenty (120) semester hours in length may receive a tuition reduction until the student has attempted the number of semester



hours required to earn the undergraduate degree at the state institution of higher education at which the student is enrolled.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

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AMEND Senate Bill No. 2013*

House Bill No. 2165

by deleting from subdivision (b)(10) of the amendatory language of Section 1 the language
"race; color; creed;" and substituting instead "race; color; creed; disability;".



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AMEND Senate Bill No. 1842*

House Bill No. 2198

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 50, Part 13, is amended by deleting the part.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 9, Part 4, is amended by adding the following language as a new section:

(a) As part of the Institute for Public Service, the Tennessee Foreign Language Institute exists to provide:

(1) Coordination and provision of foreign language skills needed by state government for purposes of industrial recruitment, tourist development, or any other state purpose;

(2) Original research into the most effective methods of foreign language instruction and the dissemination of that knowledge;

(3) Improvement of the language skills and teaching methods of foreign language instructors at all levels in the schools, colleges, and universities of Tennessee; and

(4) Coordination and provision of foreign language instruction to the citizens of this state.

(b) The board of trustees shall hire an executive director to administer the Tennessee Foreign Language Institute. The executive director shall have demonstrated expertise in foreign language or cultural issues and programs. The Institute for Public Service shall hire other staff approved by the advisory committee created pursuant to subsection (c).



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(c) The president of the University of Tennessee, with the approval of the board of trustees, shall create a specific advisory committee to accomplish the purposes of this section pursuant to § 49-9-401(c). The advisory committee shall be the approving authority for hiring decisions for the Tennessee Foreign Language Institute.

(d)

(1) There is created the Tennessee Foreign Language Institute endowment fund within the state treasury.

(2) The state treasurer is authorized to accept moneys from any person, association, or corporation wishing to contribute voluntarily to the endowment fund and to invest the moneys for the benefit of the fund pursuant to § 9-4-603.

(3) The income from the endowment fund shall be used solely for the operation and maintenance of the institute as a part of the Institute for Public Service. All interest and earnings on deposit in the fund shall become a part of and remain in the Tennessee Foreign Language Institute endowment fund. No funds in the Tennessee Foreign Language Institute endowment fund shall revert to the state general fund on June 30 of any year, but shall remain available for expenditure in accordance with this part.

(4) Subject to the general appropriations act, all private contributions to the fund shall be matched by the state on a dollar-for-dollar basis.

(e)

(1) The Tennessee Foreign Language Institute shall have its primary location in the state capital.

(2) Nothing in this part shall be construed to prevent the provision or coordination of services at other locations approved by the board.

(f) The Tennessee Foreign Language Institute, through the Institute for Public Service, has the powers necessary to fulfill its mandate, including, but not limited to, the power to:

(1) Contract with colleges and universities to provide foreign language instructional services;

(2) Enter into contracts with colleges and universities to provide for the joint appointment of faculty members from colleges and universities at the institute and for institute personnel, including the executive director, at colleges and universities;

(3) Enter into contracts with elementary and secondary schools to provide foreign language instructional assistance to those schools and their teachers; and

(4) Accept gifts, grants, awards, and other funds from private, government, or other sources.

(g) The Tennessee Foreign Language Institute shall report annually to the board of trustees, which shall include the report in its annual report to the governor pursuant to § 49-9-208.

SECTION 3. Tennessee Code Annotated, Section 49-9-401(a), is amended by adding the following language after the last sentence:

The Institute for Public Service shall operate the Tennessee Foreign Language Institute.

SECTION 4. Any funding or grants appropriated or received for use by the Tennessee Foreign Language Institute prior to the effective date of this act shall be transferred to the University of Tennessee Institute for Public Services to effectuate the purposes of this act.

SECTION 5. This act shall take effect July 1, 2018, the public welfare requiring it.

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AMEND Senate Bill No. 2196

House Bill No. 2272*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 2, is amended by adding the following as a new section:

The department of education shall establish a student support collaborative to review and define the roles and responsibilities for school social workers, school counselors, school psychologists, and school nurses. The collaborative shall identify available resources and areas that school social workers, school counselors, school psychologists, and school nurses can collaborate on to provide high quality support to students. The collaborative shall include, at a minimum, representatives from the following organizations:

- (1) The department of education;
- (2) Local education agencies (LEAs);
- (3) The National Association of Social Workers, Tennessee Chapter;
- (4) The Tennessee Association of School Social Workers;
- (5) The Tennessee Association of School Counselors;
- (6) The Tennessee Association of School Nurses;
- (7) The Tennessee Association of School Psychologists; and
- (8) The Tennessee Commission on Children and Youth.

SECTION 2. The basic education program (BEP) review committee shall analyze the addition of a component for school social workers to the BEP funding formula and shall include such analysis in its 2018 annual report.



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SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

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AMEND Senate Bill No. 2591

House Bill No. 2303*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Homeless Student Stability and Opportunity Gap Act."

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 1, is amended by adding the following language as a new part:

49-1-1301. As used in this part, "homeless child or youth" and "homeless student" have the same meaning as "homeless children or youths" in the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11434a(2)).

49-1-1302.

(a) By July 1, 2019, the department, in collaboration with experts from community organizations on homelessness and the department of human services, shall create a brochure with information on how to recognize signs that indicate a student may be homeless, how to provide services and support to homeless students, and why this identification and support is critical to student success. The brochure shall be posted on the department's website.

(b) By July 1, 2019, the department shall adopt and distribute to each LEA best practices for choosing and training homeless student liaisons.

(c) On an annual basis, each LEA must strongly encourage all school staff to review the brochure created pursuant to subsection (a). Each LEA shall require a homeless student liaison, designated pursuant to 42 U.S.C. § 11432(g)(1)(J)(ii), and any



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other homeless student point of contact designated by the LEA, to review the brochure at least annually.

(d) Each LEA shall provide students, at the beginning of the school year or at enrollment, information about services and support for homeless students. LEAs may use the brochure posted on the department website as a resource. Schools are strongly encouraged to use a variety of communications each year to notify students and families about services and support available to them if they experience homelessness, including, but not limited to:

- (1) Distributing and collecting an annual housing intake survey;
- (2) Providing parent brochures directly to students and families;
- (3) Announcing the information at school-wide assemblies; or
- (4) Posting information on the LEA's website or linking to the

department's website.

49-1-1303.

(a) A minor may obtain a birth certificate from the department of health and a state-issued identification card from the department of safety; provided that, the minor has been verified as a homeless child or youth by at least one of the following:

- (1) A director or designee of a governmental or nonprofit agency that receives public or private funding to provide services to homeless people;
- (2) An LEA liaison for homeless children and youth designated pursuant to 42 U.S.C. 11432(g)(1)(J)(ii), or a school social worker or counselor; or
- (3) The director of a federal TRIO program or Gaining Early Awareness and Readiness for Undergraduate Programs program, or a director's designee.

SECTION 3. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

A postsecondary educational institution, as defined in § 49-7-2003(14), shall:

(1) Designate a staff member who is employed in the financial aid office, or another appropriate office or department as determined by the institution, to serve as a homeless-student liaison. The homeless-student liaison shall be responsible for understanding the provisions pertaining to financial aid eligibility of homeless youth, including eligibility as independent students under the Higher Education Act of 1965 (20 U.S.C. § 1087vv), and identifying services available and appropriate for students enrolled at the institution who fall under these categories. The homeless-student liaison shall assist homeless students who are enrolled, or planning to enroll, in the institution in applying for and receiving federal and state financial aid and available services; and

(2) Develop a plan to provide homeless students who are enrolled in the institution access to housing resources offered by the institution during and between academic terms. The plan shall include granting homeless students first priority in housing placement and placing those students in housing facilities that remain open for occupation for the most days in a calendar year.

it. SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 2381

House Bill No. 2376*

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by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3006, is amended by deleting the section and substituting instead:

(a) The sole responsibility and authority for the enforcement of the compulsory attendance laws, compiled in this part, are placed in the local board of education and its designated employees and officers.

(b) To facilitate the enforcement of the compulsory attendance laws, the director of schools shall designate at least one (1) qualified employee who shall be identified as the LEA attendance supervisor. The duties of an attendance supervisor include, but are not limited to, assisting the local board, under the direction of the director of schools, with the enforcement of the compulsory attendance laws of the state and to discharge other duties that are necessary to effectuate enforcement of laws and local policies related to absenteeism and truancy. The attendance supervisor may also be directed to devise and recommend to the director of schools, for board approval, a progressive truancy intervention plan consistent with § 49-6-3009.

(c) The state board of education is authorized to promulgate rules regarding training, licensure, and employment qualifications of attendance supervisors.

SECTION 2. Tennessee Code Annotated, Section 49-6-3007, is amended by deleting the section and substituting instead:

(a) By the beginning of each school year, the director of schools shall furnish, or cause to be furnished through the attendance supervisor, to the principal of each school a list of students who will attend the school together with the names of the students'



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parents or guardians. The lists must be taken from the census enumeration on file in the office of the director of schools or from any other available and reliable source.

(b) After the opening of school, each principal of a public school must report to the director of schools the names of all students on the list furnished to the principal who have not appeared for enrollment.

(c) A principal or head of school of a public, nonpublic, or church-related school must report to the director of schools of the LEA in which the school is located the names, ages, and residences of all students in attendance at the school within thirty (30) days after the beginning of the school year. The principal or head of school of a public, nonpublic, or church-related school must make other reports of attendance in the school, including transfers of students, as may be required by the local board of education, the state board of education, or the department of education. Notwithstanding subsection (f), this subsection (c) applies to any student less than six (6) years of age who is enrolled in kindergarten in any school to which this subsection (c) is applicable.

(d) All public, nonpublic, and church-related schools shall keep daily reports of attendance, verified by the teacher making the record, that shall be open to inspection at all reasonable times by the director of schools of the LEA in which the school is located, or the director's duly authorized representative. Notwithstanding subsection (f), this subsection (d) applies to any child less than six (6) years of age who is enrolled in kindergarten in any school to which this subsection (d) is applicable.

(e)

(1) By the beginning of each school year, the principal or head of school of a public, nonpublic, or church-related school shall give written notice to the parent, guardian, or person having control of a student subject to compulsory attendance that the parent, guardian, or other person having control of the student must monitor the student's school attendance and require the student to attend school. The written notice must inform the parent, guardian, or other person having control of a student that a student who accumulates five (5) days

of unexcused absences during the school year is subject to the LEA's progressive truancy interventions and that continued unexcused absences may result in a referral to juvenile court. The five (5) days of unexcused absences need not be five (5) consecutive days of unexcused absences.

(2) The principal of a public school must report promptly to the director of schools, or to the attendance supervisor, the names of all students who have withdrawn from school or who have accumulated three (3) days of unexcused absences. Upon a student's accumulation of three (3) days of unexcused absences, the director of schools or the attendance supervisor may serve, or cause to be served, upon the parent, guardian, or other person having control of a child subject to compulsory attendance who is unlawfully absent from school, written notice that the child's attendance at school is required by law.

(3) Additionally, the principal of a public school must report promptly to the director of schools, or to the attendance supervisor, the names of all students who have withdrawn from school or who have accumulated five (5) days of unexcused absences. Each successive accumulation of five (5) days of unexcused absences by a student must also be reported.

(4) No later than a student's accumulation of five (5) days of unexcused absences, the first tier of the LEA's progressive truancy intervention plan required under § 49-6-3009 shall be implemented, and the director of schools or attendance supervisor shall serve, or cause to be served, upon the parent, guardian, or other person having control of a child subject to compulsory attendance who is unlawfully absent from school written notice that the child's attendance at school is required by law. The director of schools or attendance supervisor shall schedule a conference between school officials and the parent, guardian, or other person having control of the child to discuss the unexcused absences.

(f) Except as otherwise provided by § 49-6-3001 or § 49-6-3005, this section is applicable to a child less than six (6) years of age and the child's parent, guardian, or other person having control of a child, when such person has enrolled the child in a public school; provided, that a child may be withdrawn within six (6) weeks of initial enrollment without penalty.

(g) For the purposes of this part, for recording and coding student absences from school because of disciplinary actions, the following definitions apply:

(1) "Expulsion" means removal from attendance for more than ten (10) consecutive days or more than fifteen (15) days in a month of school attendance. Multiple suspensions that occur consecutively constitute expulsion. The LEA is not eligible to receive funding for an expelled student;

(2) "Remand" means assignment to an alternative school. The student so assigned shall be included in average daily attendance and average daily membership and shall continue to be counted as present for funding purposes. The department of education shall establish a set of codes to be used for reporting reasons that students are remanded to an alternative school; and

(3) "Suspension" means dismissal for any reason from attendance at school not exceeding ten (10) consecutive days. Multiple suspensions shall not run consecutively, nor shall multiple suspensions be applied to avoid expulsion from school. The LEA remains eligible to receive funding for a suspended student.

(h)

(1)

(A) An LEA may enter into an agreement with the local law enforcement agency serving the LEA's area and the appropriate local government in that area to assist in the enforcement of compulsory attendance upon complying with the following conditions:

(i) Creation by the local board of education of an advisory council to assist the board in formulating the agreement. The board must include representatives of teachers, parents, administrators, and other community representatives;

(ii) Receipt of input from neighborhood groups and other interested parties; and

(iii) At least one (1) public hearing on the proposed agreement prior to its adoption by the board.

(B) The agreement must provide for:

(i) Training teachers, principals, social workers, and other school personnel concerning truancy issues;

(ii) Training of involved law enforcement personnel in the truancy law, including categories of students to which the law does not apply, such as nonpublic school students or home school students; and

(iii) Safeguards to protect students from discriminatory or selective enforcement and to protect the civil rights of students and parents.

(C) If an LEA enters into an agreement, then every public school principal or teacher employed by the LEA must report promptly to the director of schools, or the director's designated representative, the names of all students who accumulated five (5) days of unexcused absences and continue to report each subsequent unexcused absence. The five (5) days of unexcused absences need not be five (5) consecutive days of unexcused absences.

(2) If a student accumulates five (5) days of unexcused absences, the director of schools shall serve, or cause to be served, upon the parent, guardian, or other person having control of the student written notice that the student's

attendance at school is required. The notice must inform the parent, guardian, or other person having control of the student of this subsection (h).

(3) Under the agreement, and for purposes of this section and § 37-1-102(b)(26)(A), a student who accumulates three (3) days of unexcused absences may be deemed habitually truant.

(4) The director of schools or the director's representative may issue a list of truant students to the local law enforcement agency for the purpose of allowing the law enforcement agency to take the student into temporary custody when the student is found away from the school premises, without adequate excuse, during school hours, in a public place, in any public or private conveyance, or in any place of business open to the public, unless accompanied by a parent, guardian, or other person having control of the student. The agreement shall specify that the law enforcement officer's sole function is to deliver the student to:

(A) The parent, guardian, or other person having control of the student;

(B) The principal of the school in which the student is enrolled;

(C) A truancy center established by the LEA; or

(D) The juvenile court, if the juvenile court and the local law enforcement agency have entered into a local interagency agreement.

(5) The powers conferred under such agreements may be exercised without warrant and without subsequent legal proceedings.

(6) This subsection (h) does not apply to students enrolled in nonpublic schools, home schools under § 49-6-3050, or church-related schools under § 49-50-801.

(7) Upon issuance of a standing order by the juvenile court, LEA officials shall be allowed to release student record information to local law enforcement agencies and to juvenile justice system officials to assist the officials in effectively

serving the student whose record is released. Officials and authorities receiving the information shall not disclose the information to any other party without prior written consent of the parent. Release of a student record must comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), § 10-7-504, and other relevant state and federal privacy laws.

SECTION 3. Tennessee Code Annotated, Section 49-6-3009, is amended by deleting the section and substituting instead:

(a) Any parent, guardian, or other person who has control of a child, and who violates this part commits educational neglect, which is a Class C misdemeanor.

(b) Each day's unlawful absence constitutes a separate offense.

(c) A director of schools or attendance supervisor shall devise and recommend, and the local board of education shall adopt, a progressive truancy intervention plan for students who violate compulsory attendance requirements prior to the filing of a truancy petition or a criminal prosecution for educational neglect. These interventions must be designed to address student conduct related to truancy in the school setting and minimize the need for referrals to juvenile court.

(d) Progressive truancy intervention plans adopted by local boards of education pursuant to subsection (c) must be applied prior to referral to juvenile court when a student accumulates five (5) or more unexcused absences, as described in § 49-6-3007(e)(1). Progressive truancy intervention plans must meet the following requirements:

(1) Tier one of the progressive truancy intervention plan must be implemented no later than a student's accumulation of five (5) unexcused absences within a school year and must include, at a minimum:

(A) A conference with the student and the parent, guardian, or other person having control of the student;

(B) A resulting attendance contract to be signed by the student, the parent, guardian, or other person having control of the student, and an attendance supervisor or designee. The contract must include:

- (i) A specific description of the school's attendance expectations for the student;
- (ii) The period for which the contract is in effect, and
- (iii) Penalties for additional absences and alleged school offenses, including additional disciplinary action and potential referral to juvenile court; and

(C) Regularly scheduled follow-up meetings with the student and the parent, guardian, or other person having control of the student to discuss the student's progress;

(2) Tier two must be implemented upon a student's accumulation of additional unexcused absences in violation of the attendance contract required under tier one. Tier two must include an individualized assessment by a school employee of the reasons a student has been absent from school, and if necessary, referral of the child to counseling, community-based services, or other in-school or out-of-school services aimed at addressing the student's attendance problems; and

(3) Tier three must be implemented if the truancy interventions under tier two are unsuccessful. Tier three may consist of one (1) or more of the following:

- (A) School-based community services;
- (B) Participation in a school-based restorative justice program;
- (C) Referral to a school-based teen court; or
- (D) Saturday or after school courses designed to improve attendance and behavior.

(e) In-school suspension or out-of-school suspension must not be used as part of the progressive truancy intervention plans adopted by schools for unexcused absence from class or school.

(f) Notwithstanding subsections (d) and (g), if the progressive truancy intervention plan is unsuccessful with a student and the school can document that the student's parent or guardian is unwilling to cooperate in the truancy intervention plan, the director of schools or designee may report the student's absences to the appropriate judge pursuant to subsection (g).

(g) If an LEA has applied a progressive truancy intervention plan that complies with subsection (d) and interventions under the plan have failed to meaningfully address the student's school attendance, the director of schools, after written notice to the parent, guardian, or other person having control of the student, shall report the student who is unlawfully absent from school to the appropriate judge having juvenile jurisdiction in that county. Each case must be dealt with in such manner as the judge may determine to be in the best interest of the student, consistent with §§ 37-1-132, 37-1-168, and 37-1-169. In the event a student in kindergarten through grade twelve (K-12) is adjudicated to be unruly because the student has accumulated five (5) days or more of unexcused absences during any school year, the judge may assess a fine of up to fifty dollars (\$50.00) or five (5) hours of community service, in the discretion of the judge, against the parent or legal guardian of the student.

(h) Each referral to juvenile court for conduct described in subsection (g) and § 49-6-3007(h)(4)(D) must be accompanied by a statement from the student's school certifying that:

- (1) The school applied the progressive truancy intervention plan adopted under subsection (d) for the student; and
- (2) The progressive truancy interventions failed to meaningfully address the student's school attendance.

(i) A court shall dismiss a complaint or referral made by an LEA under this section that is not made in compliance with subsection (h).

(j) Notwithstanding any other law, each LEA having previously adopted an effective progressive truancy intervention program that substantially conforms to this section may present the intervention program to the commissioner of education for approval in lieu of strict compliance with this section. If the commissioner does not approve the intervention plan, the LEA shall modify the plan according to the commissioner's recommendations and resubmit the revised plan for approval by the commissioner.

(k) Each head of school of a nonpublic or church-related school shall recommend, and the governing board of the school shall adopt, a policy addressing compulsory attendance and truancy that describes the interventions that the school will employ for violations of the compulsory attendance laws. The policy shall provide that the director of schools or the attendance supervisor in the LEA where the student's home of record is located will be notified in the event that a student at a nonpublic or church-related school is expelled or withdraws from school.

(l) Parents, guardians, or other persons having control of a student who is required to attend remedial instruction under § 49-6-3021 commit educational neglect, as defined in subsection (a), if the student is truant from the instruction.

SECTION 4. Tennessee Code Annotated, Section 49-6-3401, is amended by deleting subsections (g) and (h) and substituting instead:

(g)

(1) It is the legislative intent that if a rule or policy is designated as a zero tolerance policy, then violations of that rule or policy must not be tolerated and violators shall receive certain, swift, and proportionate punishment.

(2) Notwithstanding other provisions of this section or any other law, a student shall be considered in violation of a zero tolerance offense and shall be expelled for a period of not less than one (1) calendar year, except that the

director of schools may modify this expulsion on a case-by-case basis for the following:

(A) A student brings to school or is in unauthorized possession on school property of a firearm, as defined in 18 U.S.C. § 921;

(B) A student commits aggravated assault as defined in § 39-13-102 or commits an assault that results in bodily injury as defined in § 39-13-101(a)(1) upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer; or

(C) A student is in unlawful possession of any drug, including any controlled substance, as defined in §§ 39-17-402 - 39-17-415, controlled substance analogue, as defined by § 39-17-454, or legend drug, as defined by § 53-10-101, on school grounds or at a school-sponsored event.

(3) Nothing in this section prohibits the assignment of students who are subject to expulsion from school to an alternative school.

(4) Disciplinary policies and procedures for all other student offenses, including terms of suspensions and expulsions, must be determined by local board of education policy.

(5) For purposes of this subsection (g);

(A) "Expelled" means removal from the student's regular school program at the location where the violation occurred or removal from school attendance altogether, as determined by the school official; and

(B) "Zero tolerance offense" means an offense committed by a student requiring the student to be expelled from school for at least one (1) calendar year that can only be modified on a case-by-case basis by the director of schools or the head of a charter school.

(h) The commissioner of education shall report on an annual basis to the education committee of the senate and the education administration and planning

committee of the house of representatives regarding disciplinary actions in Tennessee schools. The reports must include the reason for the disciplinary action, the number of students suspended or expelled, the number of students who committed zero tolerance offenses pursuant to subsection (g), the number of students who have been placed in an alternative educational setting, and the number of students suspended, expelled, or otherwise dismissed from an alternative school. Data must be sorted by school as well as by various demographic factors, including grade, race, and sex.

SECTION 5. Tennessee Code Annotated, Section 49-6-4002, is amended by deleting the section and substituting instead:

(a) Each local board of education and charter school governing body shall adopt a discipline policy to apply to the students in each school operated by the LEA or charter school governing body.

(b) The director of schools or head of the charter school is responsible for overall implementation and supervision, and each school principal is responsible for administration and implementation of a code of conduct within the principal's school.

(c) In developing a discipline policy, the local board of education or charter school governing body shall seek recommendations from parents, employees of the LEA or charter school, law enforcement personnel, and youth-related agencies in the community.

(d) Each discipline policy or code of conduct must contain the type of behavior expected from each student, the consequences of failure to obey the standards, and the importance of the standards to the maintenance of a safe learning environment where orderly learning is possible and encouraged. Each policy must address:

- (1) Language used by students;
- (2) Respect for all school employees;
- (3) Fighting, threats, bullying, cyberbullying, and hazing by students;
- (4) Possession of weapons on school property or at school functions;

(5) Transmission by electronic device of any communication containing a credible threat to cause bodily injury or death to another student or school employee;

(6) Damage to the property or person of others;

(7) Misuse or destruction of school property;

(8) Sale, distribution, use, or being under the influence of drugs, alcohol, or drug paraphernalia;

(9) Student conduct on school property, conduct in classes, and conduct on school buses; and

(10) Other subjects that a local board of education or a charter school governing body chooses to include.

(e) Each local discipline policy must indicate that the following offenses are zero tolerance offenses:

(1) Unauthorized possession on school property of a firearm, as defined in 18 U.S.C. § 921;

(2) Aggravated assault as defined in § 39-13-102 upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer;

(3) Assault that results in bodily injury as defined in § 39-17-101(a)(1) upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer; and

(4) Unlawful possession of any drug, including any controlled substance, as defined in §§ 39-17-402 - 39-17-415, controlled substance analogue, as defined by § 39-17-454, or legend drug, as defined by § 53-10-101 on school grounds or at a school-sponsored event.

(f) Each local board of education and charter school governing body may adopt a discipline policy that promotes positive behavior and includes evidence-based

practices to respond effectively to misbehavior and minimize a student's time away from school.

(g) Each discipline policy or code of conduct must state that a teacher, principal, school employee, or school bus driver may use reasonable force in compliance with § 49-6-4107.

SECTION 6. Tennessee Code Annotated, Section 49-6-4003, is amended by deleting the section.

SECTION 7. Tennessee Code Annotated, Section 49-6-4004, is amended by deleting the section and substituting instead:

The principal of each school shall apply the code of conduct uniformly and fairly to each student at the school without partiality or discrimination.

SECTION 8. Tennessee Code Annotated, Section 49-6-4005, is amended by deleting the section and substituting instead:


Each local board of education or charter school governing body may choose to adopt different but consistent discipline policies or codes of conduct to apply to different classes of schools, such as elementary, middle, junior high, and senior high schools, under its jurisdiction. The policies and codes of conduct must be uniform to the extent of maximum consideration for the safety and well-being of students and employees.

SECTION 9. Tennessee Code Annotated, Section 49-6-4007, is amended by deleting the section and substituting instead:

When a discipline policy or code of conduct has been adopted by a local board of education or charter school governing body, a copy must be posted on the LEA or school website. A copy must also be supplied to all school counselors, teachers, administrative staff, students, and parents.

SECTION 10. This act shall take effect July 1, 2018, at 12:01 a.m., the public welfare requiring it.

Amendment No. _____


Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1618*

House Bill No. 1968

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-104(g), is amended by deleting subdivision (3) that reads as follows:

(3) The committee shall submit recommendations to the speakers of the senate and the house of representatives, the chair of the education committee of the senate, the chair of the education administration and planning committee of the house of representatives and the basic education program (BEP) review committee no later than December 1, 2015, and triennially thereafter as long as the pilot initiative continues in existence.

SECTION 2. Tennessee Code Annotated, Section 49-1-107(c), is amended by deleting the third sentence of the subsection.

SECTION 3. Tennessee Code Annotated, Section 49-1-201(c)(23), is amended by deleting the subdivision.

SECTION 4. Tennessee Code Annotated, Section 49-1-201(c)(25), is amended by deleting the subdivision.

SECTION 5. Tennessee Code Annotated, Section 49-1-201(c)(26), is amended by deleting the subdivision.

SECTION 6. Tennessee Code Annotated, Section 49-1-201(c)(29), is amended by deleting the subdivision.

SECTION 7. Tennessee Code Annotated, Section 49-1-208, is amended by deleting the section.



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SECTION 8. Tennessee Code Annotated, Section 49-1-217, is amended by deleting the section.

SECTION 9. Tennessee Code Annotated, Section 49-1-221(a)(1), is amended by deleting the first sentence in the subsection and substituting instead:

(1) Each LEA shall adopt an internet acceptable use policy.

SECTION 10. Tennessee Code Annotated, Section 49-1-221, is amended by deleting subsections (c) through (g).

SECTION 11. Tennessee Code Annotated, Section 49-1-222, is amended by deleting the section.

SECTION 12. Tennessee Code Annotated, Section 49-1-224(d), is amended by deleting the subsection.

SECTION 13. Tennessee Code Annotated, Section 49-1-225, is amended by deleting the section.

SECTION 14. Tennessee Code Annotated, Section 49-1-226(a), is amended by deleting the subsection.

SECTION 15. Tennessee Code Annotated, Section 49-1-226(b), is amended by deleting the subsection.

SECTION 16. Tennessee Code Annotated, Section 49-1-302(a)(16), is amended by deleting the subdivision.

SECTION 17. Tennessee Code Annotated, Section 49-1-302(a)(19), is amended by deleting the subdivision.

SECTION 18. Tennessee Code Annotated, Section 49-1-302(h), is amended by deleting the subsection.

SECTION 19. Tennessee Code Annotated, Section 49-1-302(k), is amended by deleting the subsection.

SECTION 20. Tennessee Code Annotated, Section 49-1-302(m), is amended by deleting the subsection.

SECTION 21. Tennessee Code Annotated, Section 49-1-307, is amended by deleting the section.

SECTION 22. Tennessee Code Annotated, Section 49-1-308, is amended by deleting the section.

SECTION 23. Tennessee Code Annotated, Section 49, Chapter 1, Part 5, is amended by deleting the part.

SECTION 24. Tennessee Code Annotated, Section 49-1-616, is amended by deleting the section.

SECTION 25. Tennessee Code Annotated, Title 49, Chapter 1, Part 8, is amended by deleting the part.

SECTION 26. Tennessee Code Annotated, Section 49-2-118(b), is amended by deleting the subsection.

SECTION 27. Tennessee Code Annotated, Section 49-2-1304(i)(4), is amended by deleting the subdivision.

SECTION 28. Tennessee Code Annotated, Section 49-3-310(1)(A), is amended by deleting the last sentence of the subdivision.

SECTION 29. Tennessee Code Annotated, Section 49-3-368(c), is amended by deleting the subsection.

SECTION 30. Tennessee Code Annotated, Section 49-5-101(h)(2), is amended by deleting the subdivision.

SECTION 31. Tennessee Code Annotated, Section 49-6-703, is amended by deleting the section.

SECTION 32. Tennessee Code Annotated, Section 49-6-1003(c), is amended by deleting the subsection.

SECTION 33. Tennessee Code Annotated, Section 49-6-1006(b), is amended by deleting the subsection.

SECTION 34. Tennessee Code Annotated, Section 49-6-1006(c), is amended by deleting the subsection.

SECTION 35. Tennessee Code Annotated, Section 49-6-1007(d), is amended by deleting the subsection.

SECTION 36. Tennessee Code Annotated, Section 49-6-1012, is amended by deleting the section.

SECTION 37. Tennessee Code Annotated, Section 49-6-1023, is amended by deleting the section.

SECTION 38. Tennessee Code Annotated, Section 49-6-1027, is amended by deleting the section.

SECTION 39. Tennessee Code Annotated, Section 49-6-2202(f), is amended by deleting the subsection.

SECTION 40. Tennessee Code Annotated, Section 49-6-2304(c), is amended by deleting the subsection.

SECTION 41. Tennessee Code Annotated, Section 49-6-3110(b), is amended by deleting the subsection.

SECTION 42. Tennessee Code Annotated, Section 49-6-3110(e), is amended by deleting the subsection.

SECTION 43. Tennessee Code Annotated, Title 49, Chapter 6, Part 35, is amended by deleting the part.

SECTION 44. Tennessee Code Annotated, Section 49-6-6001(e), is amended by deleting the subsection.

SECTION 45. Tennessee Code Annotated, Section 49-6-6001(f), is amended by deleting the subsection.

SECTION 46. Tennessee Code Annotated, Section 49-6-7004(e), is amended by deleting the subsection.

SECTION 47. Tennessee Code Annotated, Section 49-6-7006, is amended by deleting the section.

SECTION 48. Tennessee Code Annotated, Section 49-10-112, is amended by deleting the section.

SECTION 49. Tennessee Code Annotated, Section 49-10-804, is amended by deleting the section.

SECTION 50. Tennessee Code Annotated, Section 49-10-805, is amended by deleting the section.

SECTION 51. Tennessee Code Annotated, Section 49-10-806, is amended by deleting the section.

SECTION 52. Tennessee Code Annotated, Section 49-10-807, is amended by deleting the section.

SECTION 53. Tennessee Code Annotated, Section 49-10-808, is amended by deleting the section.

SECTION 54. Tennessee Code Annotated, Section 49-10-809, is amended by deleting the section.

SECTION 55. Tennessee Code Annotated, Section 49-10-1104, is amended by deleting the section.

SECTION 56. Tennessee Code Annotated, Title 49, Chapter 10, Part 12, is amended by deleting the part.

SECTION 57. Tennessee Code Annotated, Section 49-13-129, is amended by deleting the section.

SECTION 58. Tennessee Code Annotated, Section 49-13-133, is amended by deleting the last sentence of the section.

SECTION 59. Tennessee Code Annotated, Section 49-15-108(b), is amended by deleting the subsection.

SECTION 60. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

Way Brooks
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2014

House Bill No. 1997*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-5-413(a), is amended by deleting the subsection and substituting instead the following:

Except as provided by subsection (f), and in addition to the requirements of § 49-5-406, a local board of education, charter school, or any child care program as defined in § 49-1-1102, shall require that prior to employment, and at least every five (5) years thereafter, any person applying for or holding a position as a teacher or any other position requiring proximity to school children or to children in a child care program to:

(1) Agree to the release of all investigative records to the board or child care program for examination for the purpose of verifying the accuracy of criminal violation information as required by § 49-5-406(a)(1)(A); and

(2) Supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee bureau of investigation and the federal bureau of investigation.

SECTION 2. Tennessee Code Annotated, Section 49-5-413, is amended by adding the following language as new subsections:

(f) Upon Tennessee's acceptance into the federal bureau of investigation rap back program, local boards of education, charter schools, and any child care programs, as defined in § 49-1-1102, shall conduct state and national criminal history record checks on the personnel identified in subsection (a) and shall participate in the rap back program to determine suitability or fitness for employment. Local boards of education,



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charter schools, and child care programs shall notify applicants and employees who are subject to a criminal history record check pursuant to this section that the Tennessee bureau of investigation may charge a reasonable fee for the criminal history record checks performed and that applicant and employee fingerprints will be retained by the Tennessee bureau of investigation and the federal bureau of investigation for all purposes and uses authorized for fingerprint submissions. The criminal history record check shall include the submission of fingerprints to:

- (1) The federal bureau of investigation for a national criminal history record check; and
- (2) The Tennessee bureau of investigation for a state criminal history record check that shall include nonconviction data.

(g) Each local board of education and each governing body of a charter school shall adopt a policy governing background check procedures for contract workers and volunteers. Upon Tennessee's acceptance into the federal bureau of investigation rap back program, local boards of education, charter schools, and any child care program, as defined in § 49-1-1102, may require state and national criminal history record checks to be conducted on contract workers and school volunteers, and may participate in the rap back program, for the purpose of determining suitability or fitness for contract workers and volunteers to work with children or to be on school grounds when children are present.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

Amendment No. _____


Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2586

House Bill No. 2000*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-7-154, is amended by adding the following as a new subsection:

(c)

(1) Notwithstanding subsections (a) and (b), a search committee may select up to three (3) candidates to be recommended to the governing board of the public institution of higher education for the following positions:

- (A) A president of a locally governed state university;
- (B) The president of the University of Tennessee system;
- (C) A president of a community college; or
- (D) A president or director of a Tennessee college of applied technology.

(2) Prior to initiating a search to fill a position listed in subdivision (c)(1), a meeting that is open to the public and subject to the requirements of title 8, chapter 44, part 1, shall be held by the governing board to establish the search process, a timeline, and a statement of qualifications for the position.

(3) No later than fifteen (15) calendar days before the final vote of the governing board to appoint or elect a person to fill a position listed in subdivision (c)(1), records relating exclusively to the candidates identified pursuant to subdivision (c)(1) shall not be treated as confidential and shall be open for public inspection, except for a record otherwise confidential under state or federal law.



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(4) No later than seven (7) calendar days before a meeting at which the governing board will vote to appoint or approve the appointment of a candidate to fill a position listed in subdivision (c)(1), the governing board shall hold at least one (1) public forum with the candidate.

(5) A meeting at which the governing board will vote to appoint or approve the appointment of an individual to fill a position identified in subdivision (c)(1) shall be open to the public and subject to the requirements of title 8, chapter 44, part 1.

(6) No later than November 1, 2020, the advisory committee on open government shall submit a report to the governor, the speaker of the senate, and the speaker of the house of representatives evaluating the impact and effectiveness of this subsection (c) and identifying considerations and recommendations relative to its continuation, revision, or expiration.

(7) This subsection (c) shall be repealed on July 1, 2021.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

X Mark White

Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 2144*

House Bill No. 2431

by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 49-1-1102(3), is amended by deleting the subdivision and substituting instead the following language:

(3) "Child care program means any place or facility operated by any person or entity that provides child care for children in a before or after school-based program operated by a local board of education pursuant to § 49-2-203(b)(11); the Young Men's Christian Association in connection with a public school; a public school administered early childhood education program; a church affiliated program operated pursuant to § 49-50-801; or a federally funded early childhood education program such as a Title I program, a school-administered head start, or an even start program; state-approved Montessori school programs; and a program operated by a private school as defined by § 49-6-3001(c)(3)(A)(iii).

SECTION 2. Tennessee Code Annotated, Section 71-3-501(5), is amended by deleting the semicolon (;) at the end of the subdivision and substituting instead the following language:

"Child care center" does not include a child care program operated pursuant to § 49-1-1102;

SECTION 3. The state board of education is authorized to promulgate rules to effectuate the purposes of this act. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.



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Amendment No. _____

James F. Smith

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1502*

House Bill No. 2426

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-51-111(b)(3), is amended by deleting the language "one hundred million dollars (\$100,000,000)" wherever it appears in subdivisions (B), (C), and (D), and substituting instead "fifty million dollars (\$50,000,000)".

SECTION 2. Tennessee Code Annotated, Section 4-51-111(e), is amended by deleting the subsection and substituting instead:

(e) In compliance with the requirement of this chapter that there shall be a separate accounting of net education lottery proceeds, deficiencies in the lottery for education account shall not be replenished by book entries reducing any nonlottery reserve of general funds, including specifically, but without limitation, the reserve for revenue fluctuations or other reserve accounts established by law, except that transfers from nonlottery reserves of the general fund may be made to maintain any temporary deficiency in the lottery for education account, provided that such transfers and associated interest from the general fund are immediately replenished by subsequent deposits from the corporation into the lottery for education account; nor shall any program or project started specifically from net education lottery proceeds be continued from the general fund; such programs must be adjusted or discontinued according to available net education lottery proceeds unless the general assembly by general law establishes eligibility requirements and appropriates specific other funds within the general appropriations act; nor shall any nonlottery surplus in the general fund be reduced. No surplus in the lottery for education account shall be reduced to correct any



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nonlottery deficiencies in sums available for general appropriations, and no surplus in the lottery for education account shall be included in any revenue or surplus calculated for setting aside any additional funds in the reserve for revenue fluctuations as provided in § 9-4-211.

SECTION 3. Tennessee Code Annotated, Section 49-4-708(d)(5)(B), is amended by deleting the language "and the sum of ten million dollars (\$10,000,000)".

SECTION 4. Tennessee Code Annotated, Section 49-4-708(d)(7), is amended by deleting the language "and ten million dollars (\$10,000,000)".

SECTION 5. This act shall take effect June 30, 2018, the public welfare requiring it.